

ORIGINAL

LEONGUERRERO_B.dft

FREDERICK A. BLACK
United States Attorney
BRIAN S. LEON GUERRERO
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Hagåtña, Guam 96910
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FILED
DISTRICT COURT OF GUAM
MAR 20 2002
MARY L.M. MORTON
CLERK OF COURT

4

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN S. LEON GUERRERO,

Defendant.

CIVIL CASE NO. 02-00005

DECLARATION OF
ROBERT W. PEARSON

DECLARATION OF ROBERT W. PEARSON

I, ROBERT W. PEARSON, declare that:

1. I am the Special Assistant U.S. Attorney who represents plaintiff in this action.
2. Defendant resides within the Territory of Guam.
3. According to available records and my best information and belief, the Defendant

is not an infant or incompetent person and is not in the military service of the United States within the meaning of the Soldier's and Sailor's Civil Relief Act of 1940, as amended, or otherwise entitled to the benefits of said Act.

4. Defendant BRIAN S. LEON GUERRERO has been properly served with the Summons and Complaint on February 22, 2002, as shown on the attached copy of the United States Marshals Service Return of Service and Summons.

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5. Defendant has failed to appear or file an answer within the time required by law.

6. The default of defendant herein and judgment against her as prayed for in the complaint should be entered.

7. The claim of the plaintiff, United States of America, is for a sum certain in a complaint for a debt owed the U.S. Small Business Administration. There is now due and owing from defendant to plaintiff, principal amount of \$1,703.54, plus accrued interest to December 6, 2001, in the sum of \$36.12, and interest thereafter to the date of judgment at the rate of 3.812 percent per annum, and interest from the date of judgment at the legal rate until paid in full; together with costs, including \$150.00 in filing fees under 28 U.S.C. § 2412(a)(2) and 28 U.S.C. § 1914(a), fees; and for such other and further relief as this Court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.


Executed: 5/25/02, at Hagåtña, Guam.

ROBERT W. PEARSON
Special Assistant U.S. Attorney

U.S. Department of Justice
United States Marshals Service

U.S. MARSHALS - GUAM
RECEIVED
PROCESS RECEIPT AND RETURN
See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER CW 02-00005
DEFENDANT BRIAN S. LEON GUERRERO	TYPE OF PROCESS SERVICE OF COMPLAINT & SUMMONS

SERVE  **AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Brian S. Leon Guerrero

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
**Nippon Rent-A-Car
Tumon (Across Daichi Hotel)**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

<p>U.S. Attorney's Office Attn.: Financial Litigation Unit Sirena Plaza, Suite 500 108 Hernan Cortez Avenue Hagatna, Guam 96910</p>	Number of process to be served with this Form - 285	1
	Number of parties to be served in this case	1
	Check for service on U.S.A.	0

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

SSN 586-88-5345 DOB 10-12-73

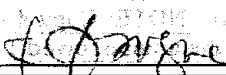
Fold

Last known wk# 646-5502; last known h# 734-8511. Other number 632-0533. Boxholder's street address is 317 S. Sabana Dr., Barrigada, GU. Other wk# 646-1736 & h# 646-8428.

Signature of Attorney or other Originator requesting service on behalf of: **ROBERT W. PEARSON, Special Asst. U.S. Atty.** ☒ PLAINTIFF ☐ DEFENDANT


TELEPHONE NUMBER **(671) 47227332** DATE **02-21-02**

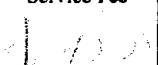
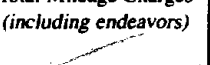

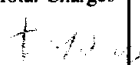

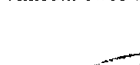

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 93	District to Serve No. 93	Signature of Authorized USMS Deputy or Clerk 	Date 2/21/02
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I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks"; the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

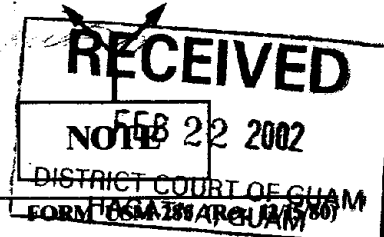
☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	
Date of Service 2/21/02 Time 1145 am Signature of U.S. Marshal or Deputy 	

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
						

REMARKS:

Handwritten: I have served AT USMS, [unclear]



PRIOR EDITIONS
MAY BE USED

3. NOTICE OF SERVICE

United States District Court

DISTRICT OF GUAM

FILED
DISTRICT COURT OF GUAM

FEB 22 2002

MARY L.M. MORAN
CLERK OF COURT

UNITED STATES OF AMERICA

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: 02-00005

BRIAN S. LEON GUERRERO

TO: (Name and address of defendant)

Brian S. Leon Guerrero
P.O. Box 5235
Hagatna, Guam 96932

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

ROBERT W. PEARSON, SAUSA
MARIVIC P. DAVID, AUSA
U.S. Attorney's Office
Sirena Plaza, Suite 500
108 Hernan Cortez Avenue
Hagatna, Guam 96910

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MARY L.M. MORAN

CLERK

FEB 21 2002

DATE

(BY) DEPUTY CLERK

ORIGINAL